

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES MITCHELL,

Defendant.

4:20CR3107

ORDER

Defendant has filed a motion stating the parties have finalized a plea agreement which encompasses not only this case, but state criminal proceedings. The motion requests a continuance of the federal trial or, in the alternative, a plea hearing to be set in 60 days. (Filing No. 25).

Accordingly,

IT IS ORDERED:

- 1) Defendant's motion, (Filing No. 25), is granted. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the request of Defendant.
- 2) A hearing on Defendant's anticipated plea of guilty is scheduled before Magistrate Judge Zwart on August 25, 2021, at 11:00 a.m., in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- 3) Defendant, defense counsel, and counsel for the government shall appear at this hearing.

- 4) On or before the date set for the plea proceeding, counsel for the government and for Defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.
- 5) The ends of justice served by granting Defendant's request to set a change of plea hearing outweigh the interests of the public and Defendant in a speedy trial, and the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be deemed excluded in any computation of time under the requirements of the Speedy Trial Act because the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7).

Dated this 22nd day of June, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge